



Security Council

Distr.: General
26 January 2007
English
Original: Spanish

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 26 January 2007 from the Permanent Mission of Nicaragua to the United Nations addressed to the Chairman

The Permanent Mission of Nicaragua to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith the first national report of the Republic of Nicaragua on the steps it has taken or intends to take to implement the provisions of Security Council resolution 1540 (2004) (see annex).



**Annex to the note verbale dated 26 January 2007 from the
Permanent Mission of Nicaragua to the United Nations
addressed to the Chairman of the Committee**

[Original: Spanish]

**Report of the Republic of Nicaragua submitted pursuant to
United Nations Security Council resolution 1540 (2004)**

Introduction

The Republic of Nicaragua, as a State Member of the United Nations and in compliance with Security Council resolution 1540 (2004), supports all efforts by the international community to achieve international peace and security. Nicaragua's official position is that this primary objective should be sought in general through support for disarmament and non-proliferation policies, and in particular through policies to prohibit the use and proliferation of weapons of mass destruction and to achieve their total eradication. In this connection, Nicaragua does not produce or possess nuclear, chemical or biological weapons or their means of delivery, nor does it provide any form of support to State or non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use weapons of mass destruction or their means of delivery.

Nicaragua is a signatory of all the international conventions to combat terrorism. It is also a party to the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and other international instruments related to Security Council resolution 1540 (2004).

In the context of Central America, Nicaragua is a party to the Framework Treaty on Democratic Security in Central America, which prohibits the acquisition, trafficking, transit, construction and storage of weapons of indiscriminate mass destruction, including chemical, radiological and bacteriological weapons. In addition, in December 2005 Nicaragua adopted the Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Materiel.

At the national level, Nicaragua has an inter-agency coordination body, the National Counter-Terrorism Committee, which was established to implement the Declaration entitled "Central America united against terrorism", adopted by the Central American States in the framework of the Secrétariat of the Central American Integration System. This Committee, established by presidential decree, consists of top-level authorities under the coordination of the Minister for Foreign Affairs of Nicaragua; its purpose is to implement the Central American Plan for Comprehensive Cooperation to Prevent and Combat Terrorism and Related Activities, together with Nicaragua's National Counter-Terrorism Plan.

Article 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials bans weapons and

ammunition which, owing to their nature and technical characteristics, are prohibited under international conventions, agreements and treaties signed and ratified by the State of Nicaragua. Moreover, article 10 (l) provides that:

“Atomic, chemical and biological weapons of mass destruction, as well as chemicals and toxins or their precursors, ammunition and devices expressly intended to cause death or injury by means of these substances’ toxic properties, shall be prohibited and banned by the State of Nicaragua, as shall the banned weapons referred to in international conventions signed and ratified by Nicaragua. The import, distribution, brokering, possession, transport and transit of banned weapons in the national territory shall be prohibited, regardless of their object or purpose.”

A draft counter-terrorism law for the implementation of the obligations set out in international treaties on the subject is currently awaiting adoption by the National Assembly. The draft text of a new Penal Code that contains detailed definitions of certain terrorist and terrorism-related activities is also in the process of adoption.

Below is the Republic of Nicaragua’s matrix and database of activities and national legislation in areas related to Security Council resolution 1540 (2004).

United Nations Security Council resolution 1540 (2004) matrix and database of activities and national legislation

Nicaragua (version 1.0)	Paragraph 2	Biological	Article 138 (11) of the Constitution of 9 January 1987 (as amended). Article 10 (I) ("Prohibited weapons") of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005. Regulations pertaining to the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Executive Decree No. 28 of 21 April 2005).
		Chemical	Article 138 (11) of the Constitution of 9 January 1987 (as amended). Article 10 (I) ("Prohibited weapons") of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005. Regulations pertaining to the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Executive Decree No. 28 of 21 April 2005). Adoption of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Legislative Decree No. 2298 of 13 July 1999). Law amending the Penal Code (Legislative Decree No. 297 of 10 April 1974), art. 499.
		Nuclear	Article 138 (11) of the Constitution of 9 January 1987 (as amended). Article 10 (I) ("Prohibited weapons") of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005. Regulations pertaining to the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Executive Decree No. 28 of 21 April 2005). Ionizing Radiation Act (Law No. 156) of 21 April 1993. Executive Decree No. 24-93, Establishment of the National Atomic Energy Commission (CONEA), Regulations on the transport of radioactive materials in the Republic of Nicaragua.

Paragraph 3 (a) and (b)	Biological	Law No. 559 of 29 February 2005. Law No. 168 of 1 December 1993, which prohibits trafficking in hazardous waste and toxic substances. Article 19, "Hazardous substances", of the General Land Transportation Act (Law No. 524) of 2 March 2005. Resolution No. 101-2002 of 12 December 2002 approving regulations pertaining to the Central American Uniform Customs Code (RECAUCA), article 50.
	Chemical	Law No. 559 of 21 November 2005. Law No. 168 of 1 December 1993, which prohibits trafficking in hazardous waste and toxic substances. Basic Act for the Regulation and Control of Pesticides and Toxic, Hazardous and Other Similar Substances (Law No. 274) of 5 November 1997. Executive Decree No. 49-98 on regulations pertaining to the Basic Act for the Regulation and Control of Pesticides and Toxic, Hazardous and Other Similar Substances (Law No. 274). Article 19, "Hazardous substances", of the General Land Transportation Act (Law No. 524) of 2 March 2005. Resolution No. 101-2002 of 12 December 2002 approving regulations pertaining to the Central American Uniform Customs Code (RECAUCA), article 50.
	Nuclear	Approval of the additional protocol for the application of safeguards (Legislative Decree No. 3365). Ratification of the additional protocol for the application of safeguards (Executive Decree No. 122-2004) of 9 November 2002. Law No. 559 of 21 November 2005. Law No. 168 of 1 December 1993, which prohibits trafficking in hazardous waste and toxic substances. Resolution No. 101-2002 of 12 December 2002 approving regulations pertaining to the Central American Uniform Customs Code (RECAUCA), article 50.

Paragraph 3 (c) and (d)	Border control	Regulations on the customs regime for international land transport, published in Official Gazette No. 49 of 9 March 2001.
	Export control	Central American Uniform Customs Code (CAUCA) of 13 December 1963 and its amendments of 1993 and 2002, adopted by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. Resolution No. 101-2002 of 12 December 2002 approving regulations pertaining to the Central American Uniform Customs Code (RECAUCA). Resolution No. CD-SIBOIF-197-02 of 1 March 2002 (as amended), Rules to prevent the laundering of money and other assets.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements?	YES	If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc.)	Remarks (information refers to the page of the English version of the report or an official website)
1	General statement on non-possession of WMD	X		
2	General statement on commitment to disarmament and non-proliferation	X		
3	General statement on non-provision of WMD and related materials to non-State actors	X		
4	Biological Weapons Convention (BWC)	X	Deposited 7 August 1975	http://disarmament.un.org:8080/TreatyStatus.nsf
5	Chemical Weapons Convention (CWC)	X	Deposited 5 November 1999	
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposited 6 March 1973	
7	Comprehensive Nuclear-Test-Ban Treaty (CTBT)	X	Deposited 5 December 2000	
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposited 10 December 2004	http://www.iaea.org/Publications/Documents/Conventions/cppnm_status.pdf
9	Hague Code of Conduct (HCOG)	X	Signed 25 November 2002	http://www.aussenministerium.at/up-media/1679_list_of_hcoc_subscribing_states.doc
10	Geneva Protocol of 1925	X	Deposited 5 October 1990	http://disarmament.un.org:8080/TreatyStatus.nsf
11	International Atomic Energy Agency (IAEA)	X	Since 1977	http://www.iaea.org/About/Policy/MembersStates/
12	Nuclear-Weapons-Free Zone/Protocol(s)	X	Treaty of Tlatelolco, deposited 24 October 1967	http://disarmament.un.org:8080/TreatyStatus.nsf
13	Other conventions/treaties	X	Seabed Treaty. Outer Space Treaty.	http://www.un.org/sc/ctc/documents/treatytable.pdf

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements?	YES	If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc.)	Remarks (information refers to the page of the English version of the report or an official website)
14 Other arrangements	X	Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Materiel.	
15 Other	X	State party to 10 international conventions and protocols on terrorism. Framework Treaty on Democratic Security in Central America.	

OP 2 — Biological Weapons (BW)

Biological weapons are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510).

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	Manufacture/produce	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 and 500 of the Penal Code.	Articles 10 (I), 16 (i), 125, 132, 134, 147 (I) of Law No. 510.
2	Acquire	X		X		
3	Possess	X		X		
4	Stockpile/store	X		X		
5	Develop					
6	Transport	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 and 500 of the Penal Code.	Articles 499 and 500 of the Penal Code.
7	Transfer	X		X		
8	Use	X	Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X		Articles 10 and 11 of Law No. 559.
9	Participate as an accomplice in aforementioned activities	X	Article 132 of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X		Articles 10 (I), 16 (i), 125, 132, 134, 147 (I) of Law No. 510. Articles 499 and 500 of the Penal Code.
10	Assist in aforementioned activities	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 and 500 of the Penal Code.	Articles 10 (I), 16 (i), 125, 132, 134, 147 (I) of Law No. 510. Penal Code.

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
11 Finance aforementioned activities	X	Article 127 of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 and 500 of the Penal Code.	Articles 10 (l), 16 (i), 125, 132, 134, 147 (1) of Law No. 510. Penal Code.
12 Aforementioned activities related to means of delivery	X	Articles 10 (l) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 and 500 of the Penal Code.	Articles 10 (l), 16 (i), 125, 132, 134, 135, 147 (1) of Law No. 510. Penal Code.
13 Involvement of non-State actors in aforementioned activities	X	Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 and 500 of the Penal Code.	
14 Other					

OP 2 — Chemical Weapons (CW)

Chemical weapons are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510).

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities? (Can violators be penalized?)	National legal framework		Enforcement, civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	Manufacture/produce	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Article 499 of the Penal Code.	Penal Code. Articles 10 (I), 16 (i), 125, 132, 134, 147 (I) of Law No. 510.
2	Acquire	X		X		
3	Possess	X		X	Article 499 of the Penal Code.	Penal Code. Articles 10 (I), 16 (i), 125, 132, 134, 147 (I) of Law No. 510.
4	Stockpile/store	X		X		
5	Develop					
6	Transport	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Article 499 of the Penal Code.	Penal Code.
7	Transfer	X		X	Article 499 of the Penal Code.	Articles 10 (I), 16 (i), 125, 132, 134, 147 (I) of Law No. 510.
8	Use	X		X	Article 499 of the Penal Code.	Penal Code.
9	Participate as an accomplice in aforementioned activities	X	Articles 499 and 500 of the Penal Code.	X	Articles 499 and 500 of the Penal Code.	
10	Assist in aforementioned activities	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Article 499 (b) of the Penal Code.	Penal Code. Articles 10 (I), 16 (i), 125, 132, 134, 135, 147 (I) of Law No. 510.
11	Finance aforementioned activities	X	Article 127 of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 499 (b) and 500 of the Penal Code.	Penal Code.

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
12 Aforementioned activities related to means of delivery	X	Articles 10 (l) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Article 499 (b) of the Penal Code.	Articles 10 (l), 16 (i), 125, 132, 134, 135, 147 (1) of Law No. 510.
13 Involvement of non-State actors in aforementioned activities	X		X	Article 499 (b) of the Penal Code.	Penal Code. Articles 10 (l), 16 (i), 125, 132, 134, 147 (1) of Law No. 510.
14 Other					

OP 2 — Nuclear Weapons (NW)

Nuclear weapons are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510).

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	Manufacture/produce	X	Nuclear weapons are classified as prohibited in articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Law No. 510.	Treaty of Tlatelolco, Articles 10 (I), 16 (i), 125, 132, 134, 147 (1) of Law No. 510.
2	Acquire	X		X		
3	Possess	X		X		
4	Stockpile/store	X		X		
5	Develop	X	Ionizing Radiation Act (Law No. 156) of 23 March 1993.			
6	Transport	X	Articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Law No. 510.	Treaty of Tlatelolco, Articles 10 (I), 16 (i), 125, 132, 134, 147 (1) of Law No. 510.
7	Transfer	X		X		
8	Use	X		X		
9	Participate as an accomplice in aforementioned activities	X	Article 10 (I) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005	X	Articles 132 and 133 of Law No. 510. Penal Code.	Law No. 510. Penal Code.
10	Assist in aforementioned activities	X	Articles 10 (I), 16 (i), 125, 132, 134, 147 (1) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X		

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
11 Finance aforementioned activities	X	Nuclear weapons are classified as prohibited in articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X	Articles 10 (I), 16 (i), 125, 132, 134, 147 (1) of Law No. 510. Penal Code.	Law No. 510. Penal Code.
12 Aforementioned activities related to means of delivery	X	Nuclear weapons are classified as prohibited in articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005. Ionizing Radiation Act (Law No. 156) of 23 March 1993 and the provisions of Decree No. 24-93 that refer to radiological equipment that generates ionizing radiation	X	Articles 10 (I), 16 (i), 125, 132, 134, 147 (1) of Law No. 510. Penal Code. Article 21 of Law No. 156.	Law No. 510. Penal Code. The Ionizing Radiation Act (Law No. 156) refers to the Penal Code.
13 Involvement of non-State actors in aforementioned activities	X	Nuclear weapons are classified as prohibited in articles 10 (I) and 16 (i) of the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005.	X		
14 Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials

Note: In view of the fact that biological weapons and related materials are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510), the import, distribution, brokering, possession, transport and transit of such weapons in the national territory are prohibited regardless of their object or purpose.

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
1 Measures to account for production					
2 Measures to account for use					
3 Measures to account for storage					
4 Measures to account for transport					
5 Other measures for accounting					
6 Measures to secure production					
7 Measures to secure use					
8 Measures to secure storage					
9 Measures to secure transport					
10 Other measures for securing					
11 Regulations for physical protection of facilities/materials/transport					
12 Licensing/registration of facilities/persons handling biological materials					
13 Reliability check of personnel					
14 Measures to account for/secure/physically protect means of delivery					
15 Regulations for genetic engineering work					

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?	National legal framework			Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	YES	If YES, indicate source document	
16	Other legislation/regulations related to safety and security of biological materials						
17	Other						

OP 3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials

Note: In view of the fact that chemical weapons and related materials are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510), the import, distribution, brokering, possession, transport and transit of such weapons in the national territory are prohibited regardless of their object or purpose.

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
1 Measures to account for production					
2 Measures to account for use					
3 Measures to account for storage					
4 Measures to account for transport					
5 Other measures for accounting					
6 Measures to secure production					
7 Measures to secure use					
8 Measures to secure storage					
9 Measures to secure transport					
10 Other measures for securing					
11 Regulations for physical protection of facilities/materials/transport					
12 Licensing of chemical installations/entities/use of materials					
13 Reliability check of personnel					
14 Measures to account for/secure/physically protect means of delivery					
15 National CWC authority	X	The Ministry of Defence through the Inter-Agency Commission for the Implementation of the Chemical Weapons Convention.			http://www.opcw.org/docs/NationalAuthorities.pdf

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
16	Reporting Schedule I, II and III chemicals to OPCW					
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/regulations controlling chemical materials	X	Prohibition and Penalties: Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510) of 25 February 2005. Articles 10 and 11 of the Special Act on Crimes against the Environment and Natural Resources (Law No. 559) of 21 November 2005. Articles 499 and 500 of the Penal Code.			
19	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials

Note: In view of the fact that nuclear weapons and related materials are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510), the import, distribution, brokering, possession, transport and transit of such weapons in the national territory are prohibited regardless of their object or purpose.

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/transport	X	The National Atomic Energy Commission's regulations for the transport of radioactive material are compatible with the IAEA Regulations for the Safe Transport of Radioactive Material (1996).			Nuclear weapons are prohibited under Law No. 510.
12	Licensing of nuclear installations/entities/use of materials	X	The provisions of the Ionizing Radiation Act (Law No. 156) of 23 March 1993 that refer to the use of radioisotopes and ionizing radiation.			
13	Reliability check of personnel					

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
14	Measures to account for/secure/physically protect means of delivery	X	The provisions of the Ionizing Radiation Act (Law No. 156) of 23 March 1993 that refer to the use of radioisotopes and ionizing radiation.			
15	National regulatory authority	X	National Atomic Energy Commission (Decree No. 24-93), Ionizing Radiation Act (Law No. 156) of 23 March 1993.			http://www.iaea.org/inis/ws/subjects/administration.html
16	IAEA Safeguards Agreements	X	Safeguards agreement in force since 18 February 2005.			http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources					
19	Other agreements related to IAEA	X	Protocol Additional to the Agreement between the Republic of Nicaragua and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Treaty on the Non-Proliferation of Nuclear Weapons and its annexes.			http://www.iaea.org/Publications/Documents/Infircs/Countries/nicaragua.shtml

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
20 Additional national legislation/regulations related to nuclear materials including CPPNM	X	The instrument of accession to the Convention on the Physical Protection of Nuclear Material was deposited with IAEA on 10 December 2004. The accession was approved by Decree No. 22-2004, published in Official Gazette No. 63 of 30 March 2004. The instrument of accession to the Convention on Early Notification of a Nuclear Accident was deposited with IAEA on 11 November 1993. The accession was approved by Decree No. 48-93, published in Official Gazette No. 216 of 15 November 1993. The instrument of accession to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency was deposited with IAEA on 11 November 1993. The accession was approved by Decree No. 47-93, published in Official Gazette No. 216 of 15 November 1993.			
21 Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of BW including Related Materials

Note: In view of the fact that biological weapons and related materials are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510), the import, distribution, brokering, possession, transport and transit of such weapons in the national territory are prohibited regardless of their object or purpose.

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc.		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Border control	X	Article 25 (a) of the Act on the Organization, Competence and Procedures of the Executive Branch (Law No. 290), published in Official Gazette No. 102 of 3 June 1998, Ministry of Transport and Infrastructure. Articles 2, 3, 18, 19 and 23 of the Basic Act for the Regulation and Control of Pesticides and Toxic, Hazardous and Other Similar Substances (Law No. 274).			Article 25 of Law No. 290. The Ministry of Transport and Infrastructure shall be responsible for the following: (a) Monitoring compliance with standards relating to the security, hygiene and convenience of means of transport in all their forms and of their ports, terminals and other related infrastructure established by law.
2	Technical support of border control measures	X	Ministry of Health. Articles 22 and 23 of the General Health Act (Law No. 423) of 17 May 2002 and articles 291 and 196 of the regulations pertaining thereto (Decree No. 001-2003). Articles 2, 3, 18, 19 and 23 of the Basic Act for the Regulation and Control of Pesticides and Toxic, Hazardous and Other Similar Substances (Law No. 274) and the regulations pertaining thereto			

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?	National legal Framework		Enforcement civil/criminal penalties, and measures of implementation, etc.		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
		(Decree No. 49-98), published in Official Gazette No. 142 of 30 July 1998.			
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Law No. 510 classifies biological weapons as prohibited.			
4 Enforcement agencies/authorities					
5 Export control legislation in place					
6 Licensing provisions					
7 Individual licensing					
8 General licensing					
9 Exceptions from licensing					
10 Licensing of deemed export/visa					
11 National licensing authority					
12 Inter-agency review for licences					
13 Control lists					
14 Updating of lists					
15 Inclusion of technologies					
16 Inclusion of means of delivery					
17 End-user controls					
18 Catch-all clause					
19 Intangible transfers					
20 Transit control					
21 Trans-shipment control					
22 Re-export control					

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc.		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
23	Control of providing funds	X	Law No. 510, Resolution No. CD-SIBOIF-197-02 of 1 March 2002 (as amended) on money-laundering.			Resolution No. CD-SIBOIF-197-02 (as amended).
24	Control of providing transport services					
25	Control of importation					
26	Extraterritorial applicability					
27	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of CW including Related Materials

Note: In view of the fact that chemical weapons and related materials are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510), the import, distribution, brokering, possession, transport and transit of such weapons in the national territory are prohibited regardless of their object or purpose.

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?	National legal framework		Enforcement civil/criminal penalties, and measures of implementation, etc.		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Border control		Article 25 (a) of the Act on the Organization, Competence and Procedure of the Executive Branch (Law No. 290), published in Official Gazette No. 102 of 3 June 1998, Ministry of Transport and Infrastructure. Articles 2, 3, 18, 19 and 23 of the Basic Act for the Regulation and Control of Pesticides and Toxic, Hazardous and Other Similar Substances (Law No. 274) and the regulations pertaining thereto (Decree No. 49-98), published in Official Gazette No. 142 of 30 July 1998.			Articles 2, 3 and 23 of Law No. 274.
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities					
5	Export control legislation in place					
6	Licensing provisions					
7	Individual licensing					
8	General licensing					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?	National legal framework		Enforcement, civil/criminal penalties, and measures of implementation, etc.		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
9 Exemptions from licensing					
10 Licensing of deemed export/visa					
11 National licensing authority					
12 Inter-agency review for licences					
13 Control lists					
14 Updating of lists					
15 Inclusion of technologies					
16 Inclusion of means of delivery					
17 End-user controls					
18 Catch-all clause					
19 Intangible transfers					
20 Transit control					
21 Trans-shipment control					
22 Re-export control					
23 Control of providing funds		Law No. 510. Resolution No. CD-SIBOIF-197-02 of 1 March 2002 (as amended) on money-laundering.			Resolution No. CD-SIBOIF-197-02 (as amended).
24 Control of providing transport services					
25 Control of importation					
26 Extraterritorial applicability					
27 Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of NW including Related Materials

Note: In view of the fact that nuclear weapons and related materials are classified as "prohibited" in the Special Act for the Control and Regulation of Firearms, Ammunition, Explosives and Other Related Materials (Law No. 510), the import, distribution, brokering, possession, transport and transit of such weapons in the national territory are prohibited regardless of their object or purpose.

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc.		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Border control					
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities	X	The Ministry of Defence through the Inter-Agency Commission for the Implementation of the Chemical Weapons Convention.			
5	Export control legislation in place					
6	Licensing provisions					
7	Individual licensing	X	National Atomic Energy Commission.	X	Ionizing Radiation Act (Law No. 156) of 23 March 1993.	Only applicable to radioactive material.
8	General licensing	X	National Atomic Energy Commission.	X	Decree No. 24-93.	
9	Exceptions from licensing					
10	Licensing of deemed export/visa	X	National Atomic Energy Commission.		Decree No. 24-93.	Only applicable to radioactive material.
11	National licensing authority	X	National Atomic Energy Commission.		Decree No. 24-93.	Only applicable to radioactive material.
12	Inter-agency review for licences					
13	Control lists					
14	Updating of lists					
15	Inclusion of technologies					

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc.		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch-all clause					
19	Intangible transfers					
20	Transit control					
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds		Law No. 510. Resolution No. CD-SIBOIF-197-02 of 1 March 2002 (as amended) on money-laundering.			Resolution No. CD-SIBOIF-197-02 (as amended).
24	Control of providing transport services					
25	Control of importation					
26	Extraterritorial applicability					
27	Other					

OP 6, 7 and 8 (d) — Control lists, Assistance, Information

Can information be provided on the following issues?		YES	Remarks
1	Control lists — items (goods/equipment/materials/technologies)		
2	Control lists — other		
3	Assistance offered	X	Security Council Committee established pursuant to resolution 1540 (2004), United States of America, United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC)
4	Assistance requested	X	Security Council Committee established pursuant to resolution 1540 (2004), United States of America, UN-LiREC
5	Assistance in place (bilateral/plurilateral/multilateral)	X	Security Council Committee established pursuant to resolution 1540 (2004), United States of America, UN-LiREC
6	Information for industry		
7	Information for the public		



Security Council

Distr.: General
22 February 2007

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 22 February 2007 from the Permanent Mission of Vanuatu to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Vanuatu to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and, in accordance with Security Council resolution 1540 (2004), Vanuatu is pleased to submit its first report to the Committee.



**Annex to the note verbale dated 22 February 2007 from the
Permanent Mission of Vanuatu to the United Nations addressed
to the Chairman of the Committee**

**Report of the Republic of Vanuatu on actions taken by the
Government to implement Security Council resolution 1540 (2004)**

Introduction

Pursuant to United Nations Security Council Resolution 1540 (UNSCR 1540) States are required, within six months from the adoption of the resolution, to present a report to the 1540 Committee of the Council on the steps they have taken or intended to take regarding its implementation.

This report sets out the policy, legislation and operational mechanisms operating in Vanuatu to implement the requirements of the Resolution.

Operative Requirements of 1540

OP 1. Decides that all States shall refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

The government of Vanuatu is fully committed to the objectives of UNSCR 1540 and withholds any support whatsoever to entities – whether State or Non-state actors, attempting to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

International Conventions, Treaties and Arrangements

Vanuatu is a party to the following conventions that are relevant to UNSCR 1540

Nuclear Non-Proliferation Treaty (NPT)
Comprehensive Nuclear Test Ban Treaty (CTBT)
Convention of Physical Protection of Nuclear Material (CPPNM)
Chemical Weapons Convention (CWC)

The government of Vanuatu recognises the importance of, and agrees in principle with the objectives of the remaining conventions and arrangements relevant to UNSCR 1540. It is giving consideration to adopting these relative to other domestic and international priorities.

OP 2. Decides also that all states, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-state actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.

The *Counter Terrorism and Transnational Organised Crime Act 2005 (CTTOC)*, is Vanuatu's primary counter terrorism legislative mechanism. It came into force on 24 February 2006 and contains several provisions relevant to UNSCR 1540.

These include a mechanism (s4) by which the Minister for Justice can prescribe, by regulation, entities or persons to be terrorist entities who have been identified as such by the UN Security Council. To-date, the Minister has not yet prescribed any entities or associated persons listed by the UN's 1267 Committee.

The Act contains a number of offences relating to support of terrorists. In particular it makes it an offence to provide weapons to terrorist groups, including entities that have been specified by the Minister for Justice to be terrorist groups, or to associated persons. The term "*weapon*" in the Act includes firearms, chemical, biological or nuclear weapons. The offence carries a maximum penalty of up to 25 years imprisonment and/or a fine of up to VT 125 million.

The Act also makes it an offence to import, export or transport nuclear material through Vanuatu without prior authorisation from Cabinet. The maximum penalties for these offences are imprisonment for up to 25 years and/or fines if up to VT 125 million. Other offences include receiving, possessing, using, transferring, altering, disposing or dispersing, stealing, fraudulently obtaining, demanding or threatening the use of nuclear material to cause death or serious injury to person or damage to property. Maximum penalties for these offences are 20 years imprisonment and/or fines of up to VT 100 million. The Act imposes criminal liability for persons who conspire, attempt or assist the commission of these offences.

With the exception of the offences in the *CTTOC* relating to the supply of chemical or biological weapons to terrorists there is no specific legislation regulating or controlling the manufacture, acquisition, possession, development, transportation, transfer, or use of chemical or biological weapons, their delivery systems, or related components within Vanuatu. New legislation would be required to incorporate mechanisms specifically regulating these types of activities and items. The government of Vanuatu would welcome any technical assistance available to develop and implement these mechanisms to enhance the framework already in place regarding nuclear material.

As far as criminalizing the use of nuclear, chemical or biological weapons in terrorist acts are concerned these are covered by the *CTTOC* that contains a number of criminal offences specifically directed at terrorist acts, including:

- carrying out, attempting, or participating in a terrorist bombing;
- taking, or attempting to take hostages;
- attacking, attempting, or threatening to attack an Internationally Protected Person or their property;
- unlawfully seizing, attempting or threatening to seize an aircraft or ship;
- committing, attempting or threatening acts of violence at an airport;
- financing or assisting to finance terrorist acts

The maximum penalty for the most serious of these offences is imprisonment for up to 25 years and/or fines of VT 100 million.

In addition, general criminal offences in the *Penal Code* relating to crimes such as murder, attempted murder etc. would also apply to a number of acts that could potentially be carried out by terrorists using nuclear, chemical or biological weapons. The most serious of these carry terms of up to 25 years imprisonment.

OP 3. Decides also that all states shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

- (a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;**

The government considers the risk of nuclear, chemical or biological weapons, or related delivery systems being produced, used, stored or transported through Vanuatu to be minimal. Factors relevant to this assessment include the fact that Vanuatu has a single international Airport and Seaport through which bulk cargo and containers is handled, the small number of international destinations serviced by these ports, and the closely monitored borders of the countries from which air and shipping services to Vanuatu originate.

The *Pesticides (Control) Act 1993* is the primary legislation governing the importation and use of chemicals for agricultural purposes. The Act establishes the Pesticides Committee that considers applications for permits to import these types of chemicals into Vanuatu. However, in practice the Quarantine Service is the operational agency responsible for the administration, monitoring and enforcement of the legislation.

The *Animal Importation and Quarantine Act 1988* also regulates the importation and control of animals, and animal and biological products in Vanuatu. The term "biological products" is broad, meaning any substance, chemical, organism or micro-organism having a biological effect on animals or their products, and includes drugs, medicines and remedies, hormones, growth promotants, antibiotics, protozoa, fungi, bacteria, viruses or parasites capable of causing any disease in animals (or if dead was so capable when living).

Government officials continue to observe work being carried out under the auspices of the South Pacific Community (SPC) in Suva, Fiji on the development of a "model" Biosecurity Act. This legislation, either in full or part may be suitable for adoption in consolidating and updating Vanuatu's current bio-security legislation.

The *Explosives Act 1988* makes it an offence, unless permitted under licence issued by the Commissioner of Police, to import explosives into Vanuatu. The maximum penalty for the offence is in the case of a first offence, to a fine not exceeding VT50,000 or to imprisonment for a term not exceeding 6 months or to both. For second or subsequent offences the maximum penalty is double such penalties.

The *Firearms Act 1987* regulates the possession, importation or dealing of firearms and ammunition within Vanuatu. It prohibits these activities unless licenced by the Commissioner of Police. Applications for licences are considered by the Commission taking into account security risk assessments conducted by a vetting unit within Police.

In addition to a licencing framework, the Act contains offences and provides police with investigative and enforcement powers.

The government's primary focus in implementing the relevant 1540 obligations is the effective application of measures to exclude items of a nuclear, chemical and biological nature from Vanuatu that may present threats to its security, or that of other countries. The level of domestic controls currently in place to account for and secure such items is limited but is considered to be proportionate to the current level of risk of them entering the country. However, the government recognises the need to develop and put in place appropriate legislative and operational mechanisms to ensure the management of risk over the longer term.

(b) Develop and maintain appropriate effective physical protection measures;

The government considers the legislative controls already in place under the *CTTOC* relating to nuclear material to be reasonably comprehensive. While the level of legislative controls are not as high for items of a chemical or biological nature the risk associated with this is low given the absence of any significant chemical or biological agents in the country and the factors described in (a) above. In 2006, Vanuatu has received technical assistance provided by the Organisation for the Prohibition of Chemical Weapons (OPCW) on the drafting of legislation to implement the Chemical Weapons Convention (CWC). This draft legislation is being considered by the government for introduction into Parliament. When passed, this legislation will mean Vanuatu fully complies with the legislative requirements of that Convention.

(c) Develop and maintain appropriate border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international laws;

Overall responsibility for security of Vanuatu's border lies with Customs, Police, Immigration and Quarantine Services together with the Air and Sea Port authorities.

Currently there is no single body with formal responsibility for the coordination of counter-terrorism or border security issues at ministerial or senior official level.

However, a Combined Law Agency Group (CLAG) has previously operated. This group was comprised of senior officials from air and sea port authorities, Police, TCU, Customs, immigration and Civil Aviation. A draft Memorandum of Understanding (MOU) related to the possible re-activation of CLAG is currently with Ministers for consideration. If approved, the CLAG may be reconvened as an inter-agency forum for the coordination of policy and operational activities of these agencies.

In addition, senior officials are currently assessing the desirability of establishing a National Security Council as a high level coordinating body for all security issues affecting government. This group would be comprised of Chief Executives of agencies with interests in security issues and relevant Ministers and would report directly to Cabinet.

At an operational level, a Combined Law Enforcement Intelligence Team (CLEIT) operates between government agencies as a forum for exchanging information or discussion on operational issues. This group meets quarterly unless otherwise required by operational events.

The government of Vanuatu operates stringent controls on entry of persons into the country. The *Immigration Act 1999* and *CTTOC* provide mechanisms for preventing entry of persons who may be engaged in activity involving relevant items, or for removing them from the country. The legislation also provides means of controlling the delivery of items that are suspected of being used or intended for the commission of offences related to terrorism.

The Vanuatu Police Force (VPF) has close relationships with other regional law enforcement agencies, the Australian Federal Police (AFP) and the Pacific Transnational Crime Coordination Centre (PTCCC) in Suva, Fiji. Through these associations it has access to regional and international intelligence channels such as Interpol and other relevant intelligence agencies.

- (d) **Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal and civil penalties for violations of such export control laws and regulations;**

The primary legislation governing the movement of goods over Vanuatu's borders is the *Customs Act*. Under Section 29 of the Act the Minister of Customs may, subject to the approval of Cabinet, by order in writing, prohibit or restrict the importation into Vanuatu of any goods.

Pursuant to this mechanism the Minister could prohibit WMD related items relevant to UNSCR 1540.

The Act (S18) also provides mechanisms requiring operators of ships or aircraft entering Vanuatu to deliver details of cargo manifests to the Customs Comptroller shortly after arrival. A failure to provide these declarations is an offence, carrying fines of up to VT2,000,000 or imprisonment for not more than 2 years, or both.

The *Customs Act* empowers authorised officers (including customs and police officers) to search ships or aircraft for evidence of suspected offences or breaches of relevant requirements.

The government of Vanuatu continues to develop security plans for its air and seaports and ships otherwise entering its territory. The long-term objective of this work is to ensure security measures in place in Vanuatu meet the International Convention on SOLAS and the new International Ship and Port Security Code.

At an operational level, if any goods were located by customs officials during routine searches of ships, aircraft and related cargo that were suspected of being related to terrorist activity other relevant agencies would be notified along with regional intelligence bodies such as Pacific Transnational Crime Coordination Centre (PTCCC).

OP 5. Decides that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of state parties to the Nuclear Non Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organisation for the Proliferation of Chemical Weapons.

The government of Vanuatu acknowledges that no aspect of UNSCR 1540 is to be interpreted in a manner that conflicts with the rights and obligations contained in the above treaties, conventions and arrangements.

OP 6. Recognises the utility in implementing this resolution of effective national control lists and calls upon all member states, when necessary to pursue at the earliest opportunity the development of such lists.

The government of Vanuatu does not currently operate a national control list of the type contemplated by UNSCR 1540. The development and operational implementation of such a list presents considerable challenges for the government and relevant agencies especially in compiling, maintaining and enforcing it.

Officials from relevant agencies will be required to undertake further work to consider the range of options available to enhance the implementation of UNSCR 1540. The government would welcome any technical assistance available to assist officials to conduct this work.

OP 7. Recognises that some states may require assistance in implementing the provisions of this resolution within their territories and invites states in a position to do so to offer assistance as appropriate in response to specific requests to the states lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions.

The government of Vanuatu would welcome any technical assistance that is available to assist it fully implement the requirements of UNSCR 1540, particularly in developing enhanced operational capability within Police and border security agencies and the practical implementation of obligations relating to national control lists.

OP 8. Calls upon all states:

- (a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, chemical and biological weapons;
- (b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;
- (c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;
- (d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws.

OP 9. Calls upon all states to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical and biological weapons, and their means of delivery.

OP 10. Further to counter that threat, calls upon all states, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials.

In relation to OP's 8,9 and 10 - Vanuatu supports, to the greatest extent possible, international initiatives to reduce the threat posed by the proliferation of nuclear, chemical and biological weapons, their means of delivery and related components. It will continue to participate and contribute to efforts (primarily in the Pacific region) to reduce this threat.